

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

7:98-CR-00079-2-F

UNITED STATES OF AMERICA

v.

TONY RAY McGIRT,  
Defendant.

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**ORDER**

This matter is before the court on Tony Ray McGirt's motion [DE-230] seeking this court's recusal from his case. McGirt's Emergency Motion for Hearing [DE-181], was transferred to U.S. District Judge Terrence W. Boyle by order of April 20, 2009, *see* [DE-182]. Judge Boyle denied that motion by order of June 11, 2009, *see* [DE-188].

Nothing in McGirt's case is pending for ruling from which recusal is necessary. Therefore, his Motion for Recusal [DE-230] is DENIED without prejudice to renew it, if and when appropriate.

SO ORDERED.

This, the 20th day of June, 2012.

  
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JAMES C. FOX  
Senior United States District Judge